



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA, Plaintiff, v. *DURAND BANNER*, Defendant. } CASE NO. CR 02-01004-R } ORDER [OF DETENTION] [SETTING CONDITIONS OF RELEASE] AFTER HEARING (18 U.S.C. § 3148(b); (Allegations of Violation of Pretrial Conditions of Release)

A.

On motion of the Government involving an alleged violation of conditions of pretrial release, and warrant for arrest,

B.

21 || The Court finds there is:

22 | (1)

1 (2)

- 2 (A) (✓) Based on the factors set forth in 18 U.S.C. § 3142(g), there is  
3 no condition or combination of conditions of release that will  
4 assure that the defendant will not flee or pose a danger to the  
5 safety or any other person or the community; or  
6 (B) (✓) The defendant is unlikely to abide by any condition or  
7 combination of conditions of release.

8 (3) ( ) There is probable cause to believe that, while on release, the  
9 defendant committed a Federal, State, or local felony, and the  
10 presumption that no condition or combination of conditions  
11 will assure that the person will not pose a danger to the safety  
12 of any other person or the community has not been rebutted.

13 OR

14 (4) ( ) The court finds that there are conditions of release that will  
15 assure that the defendant will not flee or pose a danger to the  
16 safety of any other or the community, and that the defendant  
17 will abide by such conditions. See, separate Order setting  
18 conditions.

19 ( ) It is further ordered that this order is stayed for 72 hours in  
20 order to allow the Government to seek review from the  
21 assigned district judge or criminal duty district judge as  
22 appropriate.

23 OR

24 C.

25 (✓) IT IS ORDERED defendant be detained prior to trial.

26 DATED: March 18, 2009

27 *Alicia G. Rosenberg*  
HONORABLE ALICIA G. ROSENBERG  
28 United States Magistrate Judge